

# United States Bankruptcy Court

## Southern District of New York

# Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): <b>D&amp;P Market Place LLC</b>	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): <b>DBA The Iron Tomato</b>	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) <b>26-1264397</b>	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)
Street Address of Debtor (No. and Street, City, and State): <b>57 Mamaroneck Avenue</b> <b>White Plains, NY</b> <div style="text-align: right; margin-top: 5px;">ZIP Code <b>10601</b></div>	Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right; margin-top: 5px;">ZIP Code</div>
County of Residence or of the Principal Place of Business: <b>Westchester</b>	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): <div style="text-align: right; margin-top: 5px;">ZIP Code</div>	Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right; margin-top: 5px;">ZIP Code</div>
Location of Principal Assets of Business Debtor (if different from street address above):	

<b>Type of Debtor</b> (Form of Organization) (Check one box)  <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check one box)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other  <b>Tax-Exempt Entity</b> (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box)  <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  <b>Nature of Debts</b> (Check one box)  <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.
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<b>Filing Fee</b> (Check one box)  <input checked="" type="checkbox"/> Full Filing Fee attached  <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.  <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	<b>Chapter 11 Debtors</b> Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 ( <i>amount subject to adjustment on 4/01/13 and every three years thereafter</i> ). Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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<b>Statistical/Administrative Information</b> <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.  <b>Estimated Number of Creditors</b> <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> 1-49</div> <div><input checked="" type="checkbox"/> 50-99</div> <div><input type="checkbox"/> 100-199</div> <div><input type="checkbox"/> 200-999</div> <div><input type="checkbox"/> 1,000-5,000</div> <div><input type="checkbox"/> 5,001-10,000</div> <div><input type="checkbox"/> 10,001-25,000</div> <div><input type="checkbox"/> 25,001-50,000</div> <div><input type="checkbox"/> 50,001-100,000</div> <div><input type="checkbox"/> OVER 100,000</div> </div> <b>Estimated Assets</b> <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> \$0 to \$50,000</div> <div><input type="checkbox"/> \$50,001 to \$100,000</div> <div><input type="checkbox"/> \$100,001 to \$500,000</div> <div><input checked="" type="checkbox"/> \$500,001 to \$1 million</div> <div><input type="checkbox"/> \$1,000,001 to \$10 million</div> <div><input type="checkbox"/> \$10,000,001 to \$50 million</div> <div><input type="checkbox"/> \$50,000,001 to \$100 million</div> <div><input type="checkbox"/> \$100,000,001 to \$500 million</div> <div><input type="checkbox"/> \$500,000,001 to \$1 billion</div> <div><input type="checkbox"/> More than \$1 billion</div> </div> <b>Estimated Liabilities</b> <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> \$0 to \$50,000</div> <div><input type="checkbox"/> \$50,001 to \$100,000</div> <div><input type="checkbox"/> \$100,001 to \$500,000</div> <div><input type="checkbox"/> \$500,001 to \$1 million</div> <div><input checked="" type="checkbox"/> \$1,000,001 to \$10 million</div> <div><input type="checkbox"/> \$10,000,001 to \$50 million</div> <div><input type="checkbox"/> \$50,000,001 to \$100 million</div> <div><input type="checkbox"/> \$100,000,001 to \$500 million</div> <div><input type="checkbox"/> \$500,000,001 to \$1 billion</div> <div><input type="checkbox"/> More than \$1 billion</div> </div>	THIS SPACE IS FOR COURT USE ONLY
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**Voluntary Petition***(This page must be completed and filed in every case)*

Name of Debtor(s):

**D&P Market Place LLC****All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location

Where Filed: **- None -**

Case Number:

Date Filed:

Location

Where Filed:

Case Number:

Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor** (If more than one, attach additional sheet)

Name of Debtor:

**- None -**

Case Number:

Date Filed:

District:

Relationship:

Judge:

**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.

**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

**X**

Signature of Attorney for Debtor(s)

(Date)

**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.

☒ No.

**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

**Information Regarding the Debtor - Venue**

(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

\_\_\_\_\_  
(Name of landlord that obtained judgment)

\_\_\_\_\_  
(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

**Voluntary Petition***(This page must be completed and filed in every case)*

Name of Debtor(s):

**D&P Market Place LLC****Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** \_\_\_\_\_  
Signature of Debtor

**X** \_\_\_\_\_  
Signature of Joint Debtor

\_\_\_\_\_  
Telephone Number (If not represented by attorney)

\_\_\_\_\_  
Date

**Signature of Attorney\***

**X /s/ Jonathan S. Pasternak** \_\_\_\_\_  
Signature of Attorney for Debtor(s)

**Jonathan S. Pasternak** \_\_\_\_\_  
Printed Name of Attorney for Debtor(s)

**Rattet, Pasternak & Gordon-Oliver, LLP** \_\_\_\_\_  
Firm Name  
**550 Mamaroneck Avenue**  
**Suite 510**  
**Harrison, NY 10528**

\_\_\_\_\_  
Address

**(914) 381-7400 Fax: (914) 381-7406** \_\_\_\_\_  
Telephone Number

**May 14, 2010** \_\_\_\_\_  
Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X /s/ Suzanne Demeo** \_\_\_\_\_  
Signature of Authorized Individual

**Suzanne Demeo** \_\_\_\_\_  
Printed Name of Authorized Individual

**Member** \_\_\_\_\_  
Title of Authorized Individual

**May 14, 2010** \_\_\_\_\_  
Date

**Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

**X** \_\_\_\_\_  
Signature of Foreign Representative

\_\_\_\_\_  
Printed Name of Foreign Representative

\_\_\_\_\_  
Date

**Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

\_\_\_\_\_  
Printed Name and title, if any, of Bankruptcy Petition Preparer

\_\_\_\_\_  
Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

\_\_\_\_\_  
Address

**X** \_\_\_\_\_  
Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.*

**United States Bankruptcy Court  
Southern District of New York**

In re **D&P Market Place LLC**

Debtor(s)

Case No.

Chapter

**11**

**VERIFICATION OF CREDITOR MATRIX**

I, the Member of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **May 14, 2010**

**/s/ Suzanne Demeo**

**Suzanne Demeo/Member**

Signer/Title

47 MAMARONECK AVENUE CORP.  
ATTN: TIMOTHY ENGEL  
47 MAMARONECK AVENUE  
WHITE PLAINS, NY 10601

825 SOUTH LAKE REST CORP.  
C/O MICHAEL E. POZIT  
5605 MANOR DRIVE  
PEEKSKILL, NY 10566

ACE ENDICO  
80 INTERNATIONAL BLVD.  
BREWSTER, NY 10509

AD GELATO INC.  
1136 WILLIS AVENUE  
ALBERTSON, NY 11507

ADDEO  
2372 HUGHES AVENUE  
BRONX, NY 10458

ADVANTAGE GOURMET  
PO BOX 5092  
SOUTH HACKENSACK, NJ 07606

ALL SAFE FIRE PROTECTIONS/  
EXHAUST SERVICE  
PO BOX 53  
THORNWOOD, NY 10594

ALLPERSON PARTY RENTALS  
TRANSCONTINENTAL CREDIT COLL.  
PO BOX 5055  
WHITE PLAINS, NY 10602

ALPS PROVISION  
22-70 45TH STREET  
ASTORIA, NY 11105

AMERICAN OGGI  
475 WALNUT STREET  
NORWOOD, NJ 07648

BASHIER WHOLESALE DISTRIBUTORS  
PO BOX 560  
STONY POINT, NY 10980

BATTAGLIA'S  
172 WEBSTER AVENUE  
NEW ROCHELLE, NY 10801

BINDI  
C2C RESOURCES LLC  
56 PERIMETER CENTER EAST  
ATLANTA, GA 30346

BOARS HEAD  
20 CORALYN AVENUE  
WHITE PLAINS, NY 10605

BORAX PAPER PRODUCTS, INC.  
1390 SPOFFORD AVENUE  
BRONX, NY 10474-6100

BRUNO'S GOURMET FOODS  
30 HENRY STREET  
LODI, NJ 07644

C.WILLIAMS ELECTYRICAL CONSTR.  
464 SOUTH 10TH AVENUE  
MOUNT VERNON, NY 10550

CALANDRA'S ITALIAN & FRENCH BK  
204 FIRST AVENUE  
NEWARK, NJ 07107

CAMPANIA FOODS & IMPORTS  
414 BERGEN BLVD  
PALISADES PARK, NJ 07650

CF ACQUISITIONS COMPANY  
C/O JOSEPH NEWMAN, CH7 TRUSTEE  
4 CONCORD STREET  
CRANFORD, NJ 07016

CHASE BANK USA  
800 BROOKSEDGE BLVD  
COLUMBUS, OH 43081

CHEESWHSE  
111 BUSONESS PARK DRIVE  
ARMONK, NY 10504

CHOCOLATIONS  
447 MAMARONECK AVENUE  
MAMARONECK, NY 10543

CIBO/COLAVITA  
PO BOX 9143  
ELIZABETH, NJ 07202

CMA PEST CONTROL  
PO BOX 941  
MOHEGAN LAKE, NY 10547

COLUCCIO  
1214-20 60TH STREET  
BROOKLYN, NY 11219

CON EDISON OF NEW YORK  
JAF STATION  
P.O.BOX 1702  
NEW YORK, NY 10116-1702

COSMOS SEAFOOD  
550 CASANOVA STREET  
BRONX, NY 10474

COUNTY WINDOW CLEANING  
PO BOX 1618  
WHITE PLAINS, NY 10602

DYLAN CROSS PHOTOGRAPHY  
1 HARVEY STREET, APT 2  
NORWALK, CT 06855

ENOS IMPORTS  
57 PEARL STREET  
YONKERS, NY 10701

EPICURE CANDY  
31 SOUTH ST SUITE 1-D  
MOUNT VERNON, NY 10550

EPICURE FOODS  
1 ATLANTA PLAZA  
PO BOX 6628  
ELIZABETHPORT, NJ 07206

F&F ROMANO BAKERY  
56 THIRD STREET  
NEW ROCHELLE, NY 10801

FINOCCHIO CARTING OF GREENWICH  
49 LIBERTY PLACE  
STAMFORD, CT 06902

FRANK & MARY PALAZZOLO  
800 CENTRAL PARK AVENUE  
SUITE 201  
SCARSDALE, NY 10583

GELATO GIULIANA  
240 SARGENT DRIVE  
110 TERMINAL PLAZA  
NEW HAVEN, CT 06511

GENESIS & ALIYAH DISTRIBUTORS  
219 CLAREMONT AVE  
MOUNT VERNON, NY 10552

GUEST SERVICE PUBLICATIONS  
COMMERICAL RECOVERY CORP.  
9298 CENTRAL AVE NC STE 310  
MINNEAPOLIS, MN 55434

HARNEY & SONS  
RMS COLLECTIONS  
4836 BRECKSVILLE ROAD  
RICHFIELD, OH 44286

HOWARD GORDY INC.  
871 SHEPARD AVENUE  
BROOKLYN, NY 11208

HUDSON VALLEY BANK  
21 SCARSDALE ROAD  
YONKERS, NY 10707

HUGUENOT/SUPERMARKET NEEDS  
HUGUENOT SALES CO  
1135 SOUTHERN BLVD  
BRONX, NY 10459

IDEARC MEDIA CORP.  
PO BOX 619810 D/FW  
DALLAS, TX 75261

IN YOUR NEIGHBORHOOD INC.  
PO BOX 312H  
SCARSDALE, NY 10583

INGENUITIES  
66 HOYT STREET  
SOUTH SALEM, NY 10590

INSPIRIA MEDIA  
445 HAMILTON AVENUE  
SUITE 1102  
WHITE PLAINS, NY 10601

INTERNAL REVENUE SERVICE  
P.O. BOX 21126  
PHILADELPHIA, PA 19114



JAY A. PRESS, PC  
115 BROAD HOLLOW ROAD  
SUITE 350  
MELVILLE, NY 11747

JB & SON, LTD.  
564 MILE SQUARE ROAD  
YONKERS, NY 10701

JOE TEA  
PO BOX 43265  
MONTCLAIR, NJ 07043

JOSHUA J. GRAUER, ESQ.  
CUDDY & FEDER LLP  
445 HAMILTON AVENUE, 14 FLOOR  
WHITE PLAINS, NY 10601

LAWRENCE M. GOTTLIEB, ESQ.  
HASS & GOTTLIEB  
670 WHITE PLAINS ROAD, STE 121  
TARRYTOWN, NY 10591

LIUZZICHESE MAN & WHOLESALE  
322 STATE STREET  
NORTH HAVEN, CT 06473

MAIN STREET AMERICA GROUP  
PO BOX 2004  
KEENE, NH 03431

MASTER PURVEYORS  
HUNTS POINT COOP MARKET  
BLDG B-14  
BRONX, NY 10474

MERCURIO'S  
PO BOX 52  
MAMARONECK, NY 10543

MICHAEL PERSICO

MICROS  
7031 COLUMBIA GATEWAY DRIVE  
COLUMBIA, MD 21046

MR. MUNCHY  
LAFAYETTE AVENUE  
WHITE PLAINS, NY 10601

MUSCO  
57-01 49TH PLACE  
MASPETH, NY 11378

NATIONAL GRANGE INS. CO.  
ALBERT PALANCIA  
60 EAST 42ND STREET  
NEW YORK, NY 10165

NEW MARKET  
67-71 E. WILLOW STREET  
MILLBURN, NJ 07041

NEW WAVE SEAFOOD  
81 CAMP AVENUE  
STAMFORD, CT 06907

NISSAN  
PO BOX 371491  
PITTSBURGH, PA 15250

NYC DEPARTMENT OF FINANCE  
345 ADAMS STREET, 3RD FLOOR  
BROOKLYN, NY 11201

NYS DEPARTMENT OF LABOR  
WHITE PLAINS DISTRICT OFFICE  
120 BLOOMINGDALE RD., ROOM 230  
WHITE PLAINS, NY 10605

NYS DEPARTMENT OF TAX & FINANC  
BANKRUPTCY/SPECIAL PROCEDURES  
P.O. BOX 5300  
ALBANY, NY 12205-0300

NYS UNEMPLOYMENT  
INSURANCE FUND  
P.O. BOX 551  
ALBANY, NY 12201

NYS WORKERS COMP. BOARD  
RMS COLLECTIONS  
55 BROADWAY SUITE 201  
NEW YORK, NY 10006

OCEAN SEAFOOD DISTRIBUTORS  
196-208 EMMET STREET  
NEWARK, NJ 07114

OFFICE OF THE US TRUSTEE  
SOUTHERN DISTRICT OF NEW YORK  
33 WHITEHALL STREET, 21ST FLR  
NEW YORK, NY 10004

OXFORD HEALTH  
JP MORGAN CHASE  
4 CHASE METROCENTER 7FLR EAST  
BROOKLYN, NY 11245

PARKING VIOLATIONS BUREAU  
210 JORALEMON AVENUE  
BROOKLYN, NY 11201

PLAZA SWEETS  
521 WAVERLY AVENUE  
MAMARONECK, NY 10543

PRO VISUAL ADVERTISING LLC  
PO BOX 3455  
HOBOKEN, NJ 07030

PROTECTIVE SECURITY  
464 SOUTH 10TH AVENUE  
MOUNT VERNON, NY 10550

RANIERI FINE FOODS  
278 METROPOLITAN AVE  
BROOKLYN, NY 11211

RIDGE PRODUCE  
PO BOX 740454  
BRONX, NY 10474

SARRA IMPORT  
88 PARK AVE  
RUTHERFORD, NJ 07070

SCREENVISION DIRECT  
PO BOX 22905  
ROCHESTER, NY 14692

SECURITY EXCHANGE COMMISSION  
THE WOOLWORTH BUILDING  
233 BROADWAY- JOHN MURRAY  
NEW YORK, NY 10279

SNAPPLE  
12891 COLLECTIONS CENTER  
CHICAGO, IL 60693

SPOTLIGHT PUBLICATIONS  
C/O MICHAEL MARTINELLI JR ESQ  
100 CLEARBROOK RD 1ST FLR  
ELMSFORD, NY 10523

STEINER FOODS  
510 NORTH AVENUE  
NEW ROCHELLE, NY 10801

STEPHEN B. JACOBS GROUP PC  
C/O RATTNER & ASSOCIATES  
2 PERLMAN DRIVE STE 310  
SPRING VALLEY, NY 10977

SUZANNE DEMEO

TAORMINA SALES COMPANY  
414 BERGEN BLVD  
PALISADES PARK, NJ 07650

THE HARTFORD  
C/O RMA COLLECTIONS  
PO BOX 280431  
EAST HARTFORD, CT 06128

THE JOURNAL NEWS  
ONE GANNETT DRIVE  
WHITE PLAINS, NY 10604

THE SALMON INLET  
PO BOX 3449  
WESTPORT, CT 06880

THE SPICEMILL  
191 ADAMS STREET  
MANCHESTER, CT 06042

TROPICANA  
SAL OGNIBENE - TROPICANA

TUFO'S WHOLESALE DAIRY  
4180 BOSTON POST ROAD  
BRONX, NY 10475

UNITED STATES ATTORNEY  
ONE ST. ANDREW'S PLAZA  
CLAIMS UNIT-ROOM 417  
NEW YORK, NY 10007

UTICA MUTUAL INSURANCE COMPANY  
PO BOX 6540  
UTICA, NY 13504-6540

VERIZON  
PO BOX 1100  
ALBANY, NY 12250

VESUVIO  
41 FIELDCREST AVENUE  
EDISON, NJ 08837

WATERFRONT ROASTERS  
106 PURDY AVE  
PORT CHESTER, NY 10573

WDC  
2 HART AVENUE  
YONKERS, NY 10704

WESROC GRINDING  
PO BOX 215  
MONTGOMERY, NY 12549

WFAS CUMULUS WESTCHESTER  
PO BOX 643240  
CINCINNATI, OH 45264-3240

**United States Bankruptcy Court  
Southern District of New York**

In re **D&P Market Place LLC**

Debtor(s)

Case No. \_\_\_\_\_

Chapter **11**

**STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION**

Suzanne Demeo, declare under penalty of perjury that I am the Managing Members of D&P Market Place LLC, and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said corporation at a special meeting duly called and held on the 13th day of May, 2010.

"Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Suzanne Demeo, Managing Member of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that Suzanne Demeo, Managing Member of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that Suzanne Demeo, Managing Member of this Corporation is authorized and directed to employ Jonathan S. Pasternak, attorney and the law firm of Rattet, Pasternak & Gordon-Oliver, LLP to represent the corporation in such bankruptcy case."

Date May 14, 2010

Signed /s/ Suzanne Demeo

Suzanne Demeo

**Resolution of Board of Directors  
of  
D&P Market Place LLC**

Whereas, it is in the best interest of this corporation to file a voluntary petition in the the United States Bankruptcy Court pursuant to Chapter **11** of Title 11 of the United States Code;

Be It Therefore Resolved, that Suzanne Demeo, Managing Member of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter **11** voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that Suzanne Demeo, Manaing Member of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that Suzanne Demeo, Managing Member of this Corporation is authorized and directed to employ **Jonathan S. Pasternak**, attorney and the law firm of **Rattet, Pasternak & Gordon-Oliver, LLP** to represent the corporation in such bankruptcy case.

Date May 14, 2010

Signed /s/ Suzanne Demeo  
Suzanne Demeo